

*By*

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,396	07/10/2003	Petri Ahonen	887A.0003.U1(US)	5518
29683	7590	05/04/2005	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212				NGUYEN, KHAI MINH
ART UNIT		PAPER NUMBER		
2687				

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/618,396	AHONEN, PETRI	
	Examiner Khai M Nguyen	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 July 2003.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3 and 10-17 is/are rejected.

7) Claim(s) 4-9 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 10 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/10/03 & 11/22/04.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The references listed in the Information Disclosure Statement filed on July 10, 2003 and November 22, 2004 have been considered by the examiner (see attached PTO-1449 form or PTO/SB/08A and 08B forms).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, and 10-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Castrogiovanni et al. (U.S.Pub-20050064862).

Regarding claim 1, Castrogiovanni teaches method for arranging SIM (Subscriber Identity Module) facility (11.1) to digital wireless terminal equipment (A, D)

communicating in a data communication network (10) (paragraph 0004, 0006), wherein the said SIM facility (11.1) is associated with a processor functionality (paragraph 0006, 0016) and memory devices for storing application (paragraph 0006, 0016, *the SIM may store one or more identifiers that uniquely identify a subscriber*), subscriber and network specific data (13.1, 13.4, 14.1, 14.4) (fig.1-2, paragraph 0004, 0011-0012, 0018) and wherein the terminal equipment (A, D) is also associated with a processor functionality (SJE) for carrying out of dynamic applications (fig.2, paragraph 0015), characterised in that at least a main part of the application (fig.1-2, paragraph 0004, 0083), subscriber and network specific data (13.1, 13.4, 14.1, 14.4) implementing the SIM facility is downloaded into the terminal equipment (A, D) through the data communication network (10) (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

Regarding claim 2, Castrogiovanni teaches method according to claim 1, characterised in that the terminal equipment (A, D) and the data communication network (10) are equipped with a downloading application (16.1, 16.4, 15) for downloading of the said SIM data (13.1, 13.4, 14.1, 14.4) (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

Regarding claim 3, Castrogiovanni teaches method according to claim 1, characterised in that the said data communication network (10) is associated with a functionality (15) for management of the said SIM data and devices (13, 14) for storing it (fig.1-2, abstract, paragraph 0016-0017).

Regarding claim 10, Castrogiovanni teaches method according to any claim 1, characterised in that in the terminal equipment (A, B) a physical SIM processor card is arranged (paragraph 0012), which includes a dynamic processor environment (SJE) for carrying out of downloaded applications (fig.2, paragraph 0015).

Regarding claim 11, Castrogiovanni teaches method according to any claim 1, characterised in that at least a part of the data (13.1, 14.1) to be downloaded and/or transferred is compressed (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

Regarding claim 12, Castrogiovanni teaches method according to any claim 1, characterised in that at least a part of the data (13.1, 14.1) to be downloaded and/or transferred is encrypted (paragraph 0007,0009, 0172-0173).

Regarding claim 13, Castrogiovanni teaches method according to any claim 1, characterised in that the said SIM application data (14.1) includes SIM logic (fig.1, paragraph 0073-0074).

Regarding claim 14, Castrogiovanni teaches method according to any claim 1, characterised in that the said SIM application data (14.1) includes algorithms, such as, for example, algorithms relating to authentication and/or encryption of the network (fig. 9c-9d, 0009, 0133).

Regarding claim 15, Castrogiovanni teaches method according to any claim 1, characterised in that the downloading of SIM data (13.1, 14.1) into the terminal equipment (A, B) is carried out locally (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

Regarding claim 16, Castrogiovanni teaches digital wireless terminal equipment (A, D), in connection with which a SIM (Subscriber Identity Module) facility (11.1) is arranged (paragraph 0004, 0006), which includes a processor functionality (paragraph 0006, 0016) and memory devices for storing application (paragraph 0006, 0016, *the SIM may store one or more identifiers that uniquely identify a subscriber*), subscriber connection and network specific data (13.1, 14.1, 13.4, 14.4) (fig.1-2, paragraph 0004, 0011-0012, 0018) and wherein a processor functionality (SJE) is also arranged in connection with the terminal equipment (A, D) for carrying out of dynamic applications (fig.2, paragraph 0015), characterised in that at least a main part of the application (fig.1-2, paragraph 0004, 0083), subscriber connection and network specific data (13.1, 14.1, 13.4, 14.4) implementing the SIM facility is arranged for downloading into the terminal equipment (A, D) through the data communication network (10) (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

Regarding claim 17, Castrogiovanni teaches server (12) for arranging SIM facility to digital wireless terminal equipment (A, D) (fig.1-2, abstract, paragraph 0004, 0006), wherein the server (12) is arranged in connection with a data communication network (10) (fig.1-2, paragraph 0015-0016) and wherein the SIM facility includes application (paragraph 0006, 0016, *the SIM may store one or more identifiers that uniquely identify a subscriber*), subscriber connection and network specific data (13.1, 14.1, 13.4, 14.4)

(fig.1-2, paragraph 0004, 0011-0012, 0018) characterised in that the server (12) has a functionality (15) for management of the data belonging to the said SIM facility (fig.1-2, paragraph 0016-0017) and devices (13, 14) for storing the data (paragraph 0006, 0016, *the SIM may store one or more identifiers that uniquely identify a subscriber*) and wherein the management functionality (15) is associated with a routing application for downloading the said SIM data (13.1, 14.1, 13.4, 14.4) into the said terminal equipment (A, D) through the data communication network (10) (fig.1-3, 16, paragraph 0172-0173, *the remote test platform 16c, or other controlling wireless device, acts like the wireless PDA at the remote location, downloading files, moving data, playing games, executing networking operations and/or reporting results*).

#### ***Allowable Subject Matter***

4. Claims 4-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Citation of Pertinent Prior Art***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Sarcanin** (U.S.Pub-20030145205) discloses Method and system for a virtual safe.

**Waugh et al.** (U.S.Pat-6324402) discloses Integration scheme for a mobile telephone.

**Waugh** (U.S.Pat-6104928) discloses Dual network integration scheme.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen  
Au: 2687

4/23/2005

  
4/29/05  
ELISEO RAMOS-FELICIANO  
PATENT EXAMINER